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AWARENESS AND USE OF CRIME COMPENSATION PROGRAMS

BY

STATISTICS DIVISION

Ministry of the Solicitor General of Canada

Secretariat

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The Canadian Urban Victimization Survey

Until recently, little could be said with confidence about which Canadians were most likely to be victimized by crime or even how many were victimized. Official crime statistics such as the Uniform Crime Reports give virtually no information on the victims of crime nor on the incidence of crimes not reported to the police.

Recently, however, the Ministry of the Solicitor General with the assistance of Statistics Canada conducted a victimization survey in seven major urban centres: Greater Vancouver, Edmonton, Winnipeg, Toronto, Montreal, Halifax-Dartmouth, and St. John's. This random sample of 61,072 Canadians provides us with the most extensive Canadian information yet produced concerning the extent of reported and non-reported crime during 1981, the risk of criminal victimization, the impact of crime, public perceptions of crime and the criminal justice system, and victims' perceptions of their experiences. On the basis of the interviews conducted, statistical estimates were made for the general population 16 and over in the seven cities. These statistically derived estimates for the population are used throughout this report[1].

As Table I indicates, there were a large number of victims of crime in the seven cities surveyed. For the year 1981, there were more than 700,000 personal victimizations (sexual assault, robbery, assault, and theft of personal property), and almost 900,000 households victimizations (break and enter, motor vehicle theft, household theft and vandalism). Fewer than 42% of these incidents had been reported to the police. Quite simply, a large number of Canadians had been victimized, many more than official crime statistics would indicate.

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1 Details of the methodology used are available from the Ministry of the Solicitor General in a report entitled "Measurement of Crime and Victimization", forthcoming.

Most of these incidents, it should be noted, did not involve those offences which evoke our greatest fears. There were relatively few sexual assaults or robberies, for example. Far more frequent were personal thefts (without contact) and assaults. Similarly, household theft was the most frequent of household offences followed by break and enter and vandalism with relatively few motor vehicle thefts. Appendix 1 provides offence definitions.

While in the public consciousness crime is generally equated with violence, in the experience of Canadians, crime is rarely violent. Canadians are far more likely to be victims of crimes against property than crimes against the person.

This is not to suggest that the experience of victimization is therefore typically a painless one with little lasting effect. A good deal of research, for example, has shown that the victims of break and enter in particular may experience a sense of invasion beyond the suffering caused by their actual material loss. This invasion of one's home often produces a heightened concern about and fear of crime more generally.

Injuries due to victimization[2]

Of the approximately 1,600,000 victimization incidents estimated in the seven cities, fewer than 350,000 could be classified as involving personal contact with the offender[3]. Nevertheless, these resulted in 50,500 nights in hospital and 405,700 days lost due to some form of incapacitation. About 10% of those who were victims of assault, robbery or sexual assault had to seek some form of

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2 For a description of financial and other costs see "The Costs of Crime to Victims", forthcoming.

3 There were 404,000 victims involved in these incidents (see Table 4)

medical or dental attention. While serious injury was relatively rare, again the costs of victimization fall more heavily on some than on others, on those who have only basic medical coverage and of course on those who are physically frail and vulnerable.

We know that the victims of some offences are more likely than others to be seriously injured. Victims of sexual assault, in particular, were more likely to be injured and when injured were more likely to require medical attention. We know too that the costs of such offences run far deeper than the physical or financial.

Unfortunately, researchers have only recently begun to collect information on the emotional damage caused by victimization. We do know that the fear produced by some forms of victimization can become crippling and can turn victims inward closing them off from social support when they most need it. We are being made increasingly aware of the insidious and emotionally crippling effects of certain kinds of offences - sexual assaults, child abuse, wife battering and other domestic violence - not only on the victims but on the victims' families and not only in the short term but long after the offender has been dealt with by the criminal justice system. And the victims' emotional suffering may be made more acute by their experiences with the criminal justice system.

Although the emotional impact of victimization was not a major focus of the Victimization Survey, about one quarter of the victims did say that victims of their type of crime should have emotional or psychological counselling available to them. This includes victims of property crimes and other offences generally considered less serious.

Crime Compensation as a Form of Victim Redress

At the time of the Victimization Survey in early 1982, Crime Compensation Programs had been in place in six of the seven provinces included in the Survey (British Columbia, Alberta, Manitoba, Ontario, Quebec, and Newfoundland) for some years. Nova Scotia program had been in operation for less than a year. These programs have been cost shared between the federal and provincial governments since 1973. Although they vary in their specific provisions and mechanisms, all were intended to offer a means of financial redress to injured victims of violent crime, and to "Good Samaritans" who suffered injury, material loss or damage while assisting in the prevention of a crime, or in the apprehension of a criminal. In alljurisdictions some assessment is made of the victim's contribution to or complicity in the incident before an award is determined.

Awareness of Crime Compensation Programs

Two sets of questions about Crime Compensation Programs were asked in the Survey. In the first set, all respondents (victims and non-victims) were asked if they had heard of the Crime Compensation Program (Screen Question 17). Those who answered "yes" to this question were then asked wnether, in their province, victims of theft, break-ins, assaults and rapes were eligible or ineligible for compensation. The two relevant questions from the Screen Questionnaire are copied below.

17 Have you heard of the Crime Compensation Program?

1 ☐ No ____ go to 19

2 ☐ Yes

18 **In this province are victims of the following types of crime eligible for compensation from the Crime Compensation Program? Victims of ...**

	Yes	No	Don't Know
Theft	01 ☐	02 ☐	03 ☐
Break-in	04 ☐	05 ☐	06 ☐
Assault	07 ☐	08 ☐	09 ☐
Rape	10 ☐	11 ☐	12 ☐

Overall, only about one-quarter (24%) of all respondents had heard about Crime Compensation programs, the range being from only 8% who were aware of the programs in St. John's, to 29% who were aware of the programs in Vancouver (Table 2).

Respondents who said they were aware of the programs were not very clear about the scope or intent of the programs, as is indicated by the percentage distributions in Table 3. In all cities surveyed, injured victims of assault or rape could be eligible to apply for compensation, but only 73% of those who had heard of the programs stated definitely that assault victims were eligible for compensation. Vancouver and Toronto respondents were the most likely to know that assault victims were eligible (85% and 80% respectively) but in St. John's, only 30% thought these victims were eligible.

Even greater confusion prevailed about the eligibility of rape victims for compensation[4]. Only 50% thought rape victims were eligible, and even in Vancouver (where overall knowledge about the programs seems to be greatest) only 56% of respondents to this question knew that rape victims were eligible. Again, St. John's respondents were least well informed, with only 24% indicating that rape victims were eligible.

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4 Questions referring to rape were asked before recent changes in the Criminal Code.

On average, respondents were almost as likely to give an incorrect or a "don't know" answer as to give correct answers regarding the eligibility of theft or break and entry victims for crime compensation.

Awareness of the "Treated" Victims

There were 404,000 victims of incidents which involved personal contact between victim and offender (hence with the potential for violence and injury) in the seven cities. Just over half (54%) of the victims of these incidents of sexual assault, robbery or assault were actually attacked physically. Medical or dental treatment was sought by 34,000 victims of violent crime (Table 4). Treated victims were only marginally more likely than the general public or other victims to say they were aware of crime compensation programs (27% as compared to 24%).

Further Crime Compensation questions were asked only if a respondent had been the victim of a violent personal crime (sexual assault, assault or robbery) in which injuries had been suffered, and medical or dental treatment of some kind had been received. These "treated" victims were then asked if they had inquired about eligibility, if they had been told they might be eligible for compensation, and finally if they had made any claim for compensation through the established programs, or from an insurance company.

A copy of the relevant Incident Report questions appears below:

25 Did you receive any medical or dental attention after the attack?

1 ☐ No ——— Go to 34

2 ☐ Yes

26 Did you receive any treatment at a hospital?

1 ☐ No ——— Go to 28
2 ☐ Yes

27 Did you stay overnight in the hospital or did you receive emergency treatment only?

1 ☐ Emergency only
2 ☐ Stayed overnight or longer
| **How many nights? .....** ☐☐☐

28 Did you inquire about your eligibility as the victim of a crime to receive compensation from the Crime Compensation Program?

1 ☐ No
2 ☐ Yes
| **To whom did you inquire?**
3 ☐ Police
4 ☐ Lawyer
5 ☐ Social service agency
6 ☐ Crown prosecutor
7 ☐ Legal aid
8 ☐ Other (specify) _____

29 Were you told that you could be eligible to receive compensation from the Crime Compensation Program?

1 ☐ No
2 ☐ Yes

Who told you?

3 ☐ Police
4 ☐ Lawyer
5 ☐ Social service agency
6 ☐ Crown prosecutor
7 ☐ Legal aid
8 ☐ Other (specify) _____

30 Have you filed a claim to receive compensation for the injuries you suffered?

1 ☐ No
2 ☐ Yes

With whom did you file the claim?

3 ☐ Crime Compensation Program
4 ☐ Insurance Company
5 ☐ Other (specify) _____

Inquiries and Information

Table 5 shows that only 8% of those who received medical or dental treatment as the result of criminal injuries made any inquiries about eligibility for compensation, and that those who did inquire were most likely to ask police or "others", most probably friends and relatives. Certainly if victims do not even know about the existence of such programs they will not know to ask, or what to ask.

Treated victims were also asked if anyone had told them they might be eligible to receive compensation from a Crime Compensation Program (Incident Question 29). Thirteen percent said they had been informed about the Program. Of those informed, a minority got their information from police (21%), lawyers (15%), or social service agencies (10%), and the majority from "others" (55%). Although "crown prosecutors" appeared as an alternative response category in the interview schedule, they apparently were not asked, nor did they volunteer information about eligibility to any treated victims (Table 6).

These figures confirm that many treated victims remain uninformed about the possibility that they could claim some kind of compensation regarding injuries received. Due to low numbers, we are unable to determine whether the informed victims were any different from the uninformed victims in terms of seriousness of injury, age, type of incident, or victim culpability.

Tables 6 and 7 show that although 13% of treated victims were informed that they might qualify for Crime Compensation Program funds, only 3.8% actually made applications to these programs. A further 2.7% made other claims, including insurance claims.

Clearly, fewer than one-third of those who are given information proceed to file a compensation claim. This high attrition rate among potential applicants is likely due to a variety of factors about which we can only speculate:

1) some may perceive that the costs in terms of time and effort required to proceed may outweigh the potential benefits;

2) a process of self-selection may be occurring in which victims screen themselves out because of their perceived complicity in the victimization or because of a more general reluctance to get involved with the criminal justice system, or because of a reluctance to rehearse or "relive" the victimization experience; and

3) some may simply lack sufficient information about the process to know how to complete an application.

The survey data reveal that victims are most likely to report to police incidents which resulted in significant financial loss - rather than those which resulted in pain, injury and fear. For many, reporting crimes is less an act of justice (or even revenge) than a far more utilitarian act - seeking redress, recompense or recovery. Perhaps if more were aware of the availability of criminal injuries compensation, more would report violent offences.

Conclusions

Crime Compensation Programs are neither well known nor well understood, although respondents in a few cities do seem to be more informed than others. What is of more concern, however, is the fact that even those victims who might qualify for compensation remain uninformed about the existence of these programs and the types of victims they are intended to serve.

Crime Compensation Programs were established because of a widespread recognition that victims of violent crime were often in need of financial, as well as other assistance to help them cope with the aftermath of their victimization. Such programs are a fundamental part of the larger victims movement to which all levels

of government have been committed in the past few years. The potential of such programs to help victims regain their sense of personal dignity and their prior status, and through this to gain a more positive perception of the criminal justice system, will only be realized as Canadians - victims and non-victims alike - learn about the existence and objectives of the Crime Compensation Programs.

In a time of fiscal restraint there is an understandable caution about the cost implications of such programs, and some might fear that as more Canadians become aware of the programs, the expenditures will far exceed budget allocations. Our data are important then, if only because they show that even with information, only a small minority of victims who are probably eligible, proceed with applications.

More importantly however, these data make a strong case for the need to disseminate systematically information which would enable victims to take advantage of the programs which have been devised to meet their specific needs. Screening of applicants and rationing of resources will obviously be necessary, and should reflect careful deliberation and perhaps debate about eligibility requirements, maximum awards and the like. Policy recommendations about these matters are soon to be available from the Federal/Provincial Task Force. But "screening" should not be the result of the uneven distribution among Canadians of information and awareness.

TABLE 1

Seven Cities

NUMBER OF INCIDENTS OF SELECTED TYPES AND PROPORTION NOT REPORTED TO POLICE

Type of Incident	Number of Incidents	Percent of All Incidents	Percent Unreported	Percent Reported
Sexual Assault	17,200	1	62	38
Robbery	49,300	3	55	45
Assault	285,700	18	66	34
Break & Enter	227,400	14	36	64
Motor Vehicle Theft	40,600	3	30	70
Household Theft	417,300	26	56	44
Personal Theft	349,900	22	71	29
Vandalism	213,100	13	65	35
TOTAL	1,600,500	100.0	58	42

TABLE 2

NUMBER AND PERCENT OF RESPONDENTS WHO HAD HEARD OF CRIME COMPENSATION PROGRAMS, BY CITY

	HEARD OF PROGRAMS	%	HAD NOT HEARD	%
Seven Cities	1,178,600	24	3,765,700	76
Vancouver	264,900	29	646,200	71
Edmonton	87,900	22	314,300	78
Winnipeg	88,300	21	333,800	79
Toronto	407,500	24	1,275,400	75
Montreal	295,700	22	1,038,100	78
Halifax	29,200	22	104,800	78
St. John's	5,800	8	66,000	92
Range		(8-29%)		(71-92%)

Estimated numbers and percentages may not add to totals given due to rounding errors.

TABLE 3

PERCEPTIONS OF ELIGIBILITY FOR CRIME COMPENSATION FOR VARIOUS CRIMES BY CITY 1

TYPE OF CRIME AND CITY OF RESPONDENT	PERCEPTION OF ELIGIBLITY IN OWN PROVINCE		
	VICTIMS ELIGIBLE	VICTIMS INELIGIBLE	DON'T KNOW OR "NOT STATED"
THEFT			
Seven Cities	18	50	32
Vancouver	13	61	26
Edmonton	17	47	36
Winnipeg	16	39	46
Toronto	14	58	28
Montreal	27	37	36
Halifax	20	30	50
St. John's	18	19	63
BREAK AND ENTER			
Seven Cities	15	52	32
Vancouver	11	64	25
Edmonton	16	50	34
Winnipeg	14	41	45
Toronto	13	59	27
Montreal	23	39	38
Halifax	18	31	51
St. John's	19	19	62
ASSAULT			
Seven Cities	73	6	21
Vancouver	85	3	12
Edmonton	74	6	20
Winnipeg	59	7	33
Toronto	80	4	17
Montreal	59	10	31
Halifax	53	6	41
St. John's	30	12	58
RAPE			
Seven Cities	50	17	33
Vancouver	56	17	27
Edmonton	43	21	36
Winnipeg	37	19	44
Toronto	51	18	31
Montreal	52	15	33
Halifax	41	12	47
St. John's	24	16	60

1 Questions asked only of those respondents who said they had heard about the programs.

TABLE 4

NATURE AND CONSEQUENCES OF PERSONAL VIOLENT CRIME IN SEVEN CITIES

	ESTIMATED NUMBER	PERCENT
Number of Victims	404,000	100
Number Threatend Only	183,800	46
Number Physically Attacked	220,200	54
Number of Victims Injured	110,500	27
Number who received Treatment for Injuries	34,000	8
Any Hospital Treatment Received	24,200	6
Hospital Overnight or Longer	3,300	0.8

TABLE 5

NUMBER OF TREATED VICTIMS WHO INQUIRED ABOUT ELIGIBILITY FOR CRIME COMPENSATION

Inquiry Directed to:		TOTAL	PERCENT	PERCENT OF TREATED VICTIMS
Police	1,300		45	
Lawyer	400		14	
Social Service Agency	200		7	
Legal Aid	100		2	
Other	600		22	
Yes, source not given	300		10	
TOTAL		2,900[1]	100	8
Did not inquire		31,100		92
All Treated Victims		34,000		100

[1] Caution should be exercised in interpreting these distributions since these estimates are based on a raw count of only 23 respondents who indicated they had made any inquiries about eligibility for compensation from the Crime Compensation Program.

TABLE 6

NUMBER OF TREATED VICTIMS WHO WERE TOLD THEY MIGHT BE ELIGIBLE FOR CRIME COMPENSATION

		TOTAL	PERCENT	PERCENT OF TREATED VICTIMS
Told might be eligible by:				
Police	900		21	
Lawyer	600		15	
Social Services Agency	400		10	
Other sources	1,900		43	
Yes, source not given	500		12	
TOTAL		4,400[1]	100.0	13
Not told might be eligible		30,000		87
All Treated Victims		34,000		100

[1] Caution should be exercised in interpreting these distributions since these estimates are based on a raw count of only 47 respondents who were told they might be eligible for compensation under the Crime Compensation Programs.

TABLE 7

NUMBER OF TREATED VICTIMS WHO FILED CLAIMS TO RECEIVE COMPENSATION (ALL SOURCES)

	TOTAL	PERCENT	PERCENT OF TREATED VICTIMS
Type of Claim Filed:			
Crime Compensation Program	1,300	58	
Insurance	400	20	
Other	500	21	
Claim filed, but no details given	20	1	
TOTAL	2,200(1)	100	6
Did Not file any claim	31,800		94
All Treated Victims	34,000		100

[1] Caution should be exercised in interpreting these distributions since these estimates are based on a raw count of only 23 respondents who indicated they filed any claim, 13 from Crime Compensation Programs.

APPENDIX 1

DEFINITIONS AND LIMITATIONS

The eight categories of crimes included in this survey are: sexual assault, robbery, assault, break and entry, motor vehicle theft, theft of household property, theft of personal property and vandalism. These offences are ranked in descending order of seriousness.

1. Sexual assault includes rape, attempted rape, molesting or attempted molestation, and is considered the most serious crime.

2. Robbery occurs if something is taken and the offender has a weapon or there is a threat or an attack. The presence of a weapon is assumed to imply a threat. Attempted robberies are also included in this offence category.

3. Assault involves the presence of a weapon or an attack or threat. Assault incidents may range from face-to-face verbal threats to an attack with extensive injuries.

4. Break and enter occurs if a dwelling is entered by someone who has no right to be there. "No right to be there" differentiates, for example, between a workman who is in a dwelling with the permission of the owner and steals something, and someone illegally entering the dwelling to take property. The latter would be classified as a break and enter as are attempts to enter a dwelling if there is some evidence of force or knowledge of how the person tried to get in.

5. Motor vehicle theft involves the theft or attempted theft of a car, truck, van, motorcycle or other motor vehicle.

6. Theft or attempted theft of household property.

7. Theft or attempted theft of money or other personal property (not household property).

8. Vandalism occurs if property is damaged but not taken.

Incidents which involved the commission of several different criminal acts appear in the tables only once, according to the most serious component of the event. Thus for example, if sexual assault, theft of money and vandalism all occurred at the same time, the incident would be classified in these tables as sexual assault. An incident would be classified as vandalism (least serious on the hierarchy) only if no other crime which is higher on the seriousness scale occurred at the same time.